

Message

From: Faeth, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12AF792B39CC4B4FA8089976F3F8859F-LFAETH]
Sent: 5/7/2018 2:55:51 PM
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Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

Fourth Pruitt Aide Leaving Amid Swirling Controversy at EPA

By Jennifer A. Dlouhy

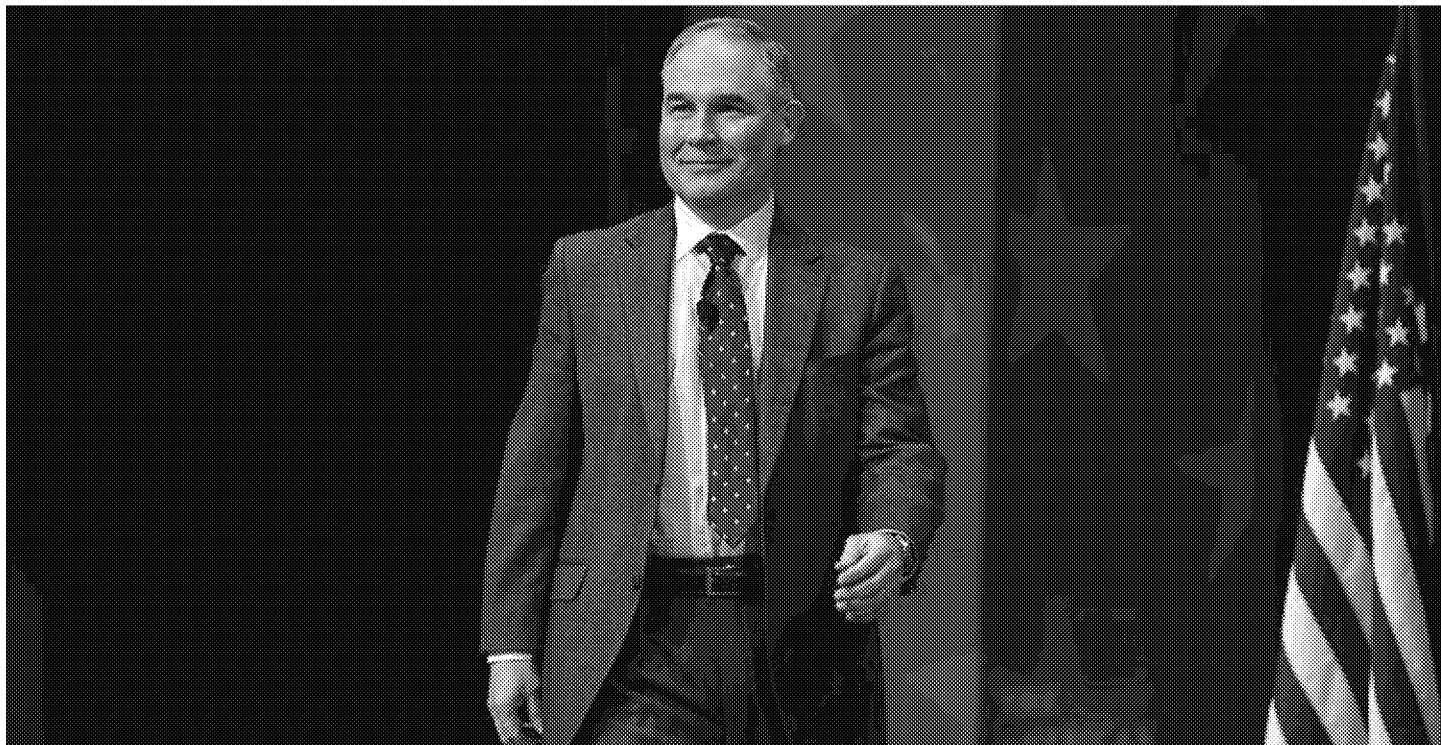
Posted May 4, 2018, 12:46 PM

A fourth departure this week of an Environmental Protection Agency official, announced May 4, may suggest continued fallout from the controversies swirling around Administrator Scott Pruitt.

GREENWIRE ARTICLES

Lobbyist with hand in Pruitt trips tied to gas-rich nation

Kevin Bogardus and Hannah Northey, E&E News reporters Published: Friday, May 4, 2018



EPA Administrator Scott Pruitt, shown here in a 2017 file photo. Gage Skidmore/Flickr

The lobbyist who helped arrange EPA Administrator Scott Pruitt's trip to Morocco has another foreign client with natural gas interests, East Timor.

The global law firm DLA Piper hired Richard Smotkin last November as a subcontractor to work on representing the government of the Democratic Republic of Timor-Leste, otherwise known as East Timor, according to Justice Department records.

<https://www.eenews.net/greenwire/2018/05/04/stories/1060080879>

Press deputy to leave

Kevin Bogardus, E&E News reporter

Published: Friday, May 4, 2018

John Konkus, one of EPA's top press officials, is departing the agency.

Konkus is heading to the Small Business Administration to help lead communications for the agency. As deputy associate administrator in EPA's public affairs shop, his exit marks the fourth high-profile staff departure on Administrator Scott Pruitt's team this week.

Konkus has been involved with EPA from the very beginning of the Trump administration, serving on the president's transition and "beachhead" teams for the agency, as well as helping to guide Pruitt's confirmation in the Senate.

<https://www.eenews.net/greenwire/2018/05/04/stories/1060080883>

House Dems want more time for comments on 'secret science'

Sean Reilly, E&E News reporter

Published: Friday, May 4, 2018



Democratic Reps. Eddie Bernice Johnson of Texas and Paul Tonko of New York. House/Wikipedia

This article was updated at 2:27 p.m. EDT.

More than 60 House Democrats are urging EPA to allow more time for public feedback on a fiercely disputed proposal to revamp how the agency handles scientific research.

"EPA has the critical mission of protecting human health and the environment," Rep. Paul Tonko (D-N.Y.) and 64 other lawmakers wrote yesterday to EPA Administrator Scott Pruitt. "With this mission in mind, any significant change should go through a serious discussion, a series of public hearings and a robust comment period."

In the proposed rule published Monday, EPA set a 30-day comment period that ends May 30.

The Democrats are asking Pruitt to extend the comment period to at least three months.

<https://www.eenews.net/greenwire/2018/05/04/stories/1060080881>

South Korea proposes universal chemical tracking system

Overseas manufacturers would submit details through appointed representatives

3 May 2018 / Confidentiality & right-to-know, Enforcement, K-REACH, Labelling, South Korea



South Korea's Ministry of Environment (MOE) has proposed a mandatory system of tracking chemicals from their import and manufacture to end use.

It would introduce a unique government-allocated "checking number" for all manufactured or imported chemical substances. These could then be tracked, regardless of how they are subsequently used or if some information is inaccurate or changes, for example, product name.

Companies must currently check whether substances are toxic and report on them if the case. This would be replaced with a mandatory reporting system for all substances.

The number would follow substances to downstream producers. Companies handling hazardous substances would have to use it on packaging and products.

The overall aim is to bring transparency to distribution and, in the case of accidents, allow the identification of a substance and distribution routes.

The ministry says it will also address problems of obtaining hazard information for the 8,000 under one tonne substances, exempted from registration under K-REACH.

Overseas manufacturers would have also have to submit details of substances for the Korean market. To allay CBI concerns, they will be able to appoint a domestic representative to act on their behalf.

The representative would provide full ingredient disclosure through the reporting system, which would be managed confidentially in the government's internal database.

The MOE says the new system would be implemented two years after legislation is passed. In the future, it expects barcodes/QR codes with the tracking identifier to become mandatory.

The proposal was published on 3 May.

More details available on [CW+AsiaHub](#)



Sunny Lee

Asia editor

Related Articles

- [South Korea proposes universal chemical tracking system](#)

Further Information:

- [MOE press release \(in Korean\)](#)

UK's ability to keep pace with REACH changes threatened by Bill amendment

If passed, Lords' amendment to EU Withdrawal Bill would hamper ongoing adoption of authorisations, restrictions

3 May 2018 / Europe, REACH



As the UK government prepares for the end of the House of Lords review of its EU Withdrawal Bill, sources close to the process have warned that one of the amendments adopted by the Lords would, if included in the final text of the Bill, make it extremely difficult for the UK to adopt updates to REACH post Brexit.

During its passage through the Lords, a number of amendments were adopted including Amendment 11, which relates to enhanced protection for certain areas of EU law, including environmental standards and protection.

On the day the UK leaves, the amendment would ensure government ministers cannot change or repeal EU law – other than for technical changes – except by an Act of Parliament or by secondary legislation that must undergo greater parliamentary scrutiny than is usually the case.

Sources say this could mean that changes to a transposed REACH Regulation, such as adding chemicals to a UK authorisation list or introducing new restrictions, would therefore require an Act of Parliament or enhanced scrutiny.

'Not convinced'

The technical changes mentioned in Amendment 11 link to clause 7 of the EU Withdrawal Bill. This contains the power to make corrections to retained EU law in order to deal with deficiencies that arise as a consequence of the UK's exit.

Elizabeth Shepherd, partner at law firm Eversheds Sutherland, said "we are not convinced that the addition of more chemicals to a UK authorisation list, or to introduce new restrictions would fall within either of these provisions."

However, she added, even if they did and could – according to Amendment 11– be dealt with by secondary legislation, "this would not necessarily guarantee that UK legislation, including UK REACH, will remain the same as the EU".

The government has previously said that "certain areas of health and safety legislation, such as chemical regulation will require more fundamental review to ensure operability". And that these "will be dealt with in separate legislation which will also be made under EU Withdrawal Bill powers; these policy areas are cross-cutting and require a specific regime approach".

If Britain established a new environmental regulator "there will need to be a new set of delineated statutory powers and functions for that regulator", Ms Shepherd said.

Lord Whitty, a member of the House of Lords, who proposed an amendment concerning chemicals, said without an agreement on continued membership of REACH and Echa "there is no automatic reflection of new REACH provisions in UK law".

He added that amendment 11 "reflects the Lords' concern at the so called 'Henry VIII powers' that the bill would otherwise give to ministers in future to vary legislation with minimum or no parliamentary scrutiny – particularly in the areas designated. It does not prohibit changes being made under secondary legislation – it simply requires greater scrutiny."

Government response

When questioned on the potential problem for future chemicals management, a government spokesperson told Chemical Watch: "We are disappointed that Parliament voted for this amendment in spite of the assurances we provided.

"We will review this decision when the Bill returns to the House of Commons to ensure we deliver a workable piece of legislation that provides certainty as we leave.

"The purpose of this Bill," the spokesperson added "is to provide a functioning statute book on exit day and this amendment would prevent us from doing that. It would risk legislation in key areas not working after exit day."

Progress of Bill

The Bill started in the House of Commons where it underwent five stages before being passed to the House of Lords for scrutiny – first and second readings followed by a committee stage, a report stage and then a final reading.

It is currently completing its report stage - when amendments are voted on and adopted or rejected - in the House of Lords. After final reading it will be returned to MPs in the House of Commons for consideration of amendments and the two chambers will send final changes back and forth - a process known in Parliament as 'ping pong'. Once all differences between them have been solved, the Bill will receive royal assent from the Queen and become law.

Further Information:

- [House debate transcript](#)
- [Progress of bill](#)

Stockholm Convention factsheet lists POPs exemptions

4 May 2018 / Global, Persistent organic pollutants

The Stockholm Convention on persistent organic pollutants (POPs) has published a factsheet on exempted uses for perfluorooctane sulfonate (PFOS), its salts and perfluorooctanoic acid (PFOA).

The factsheet puts these in three categories:

- acceptable purposes, such as photo-imaging, medical devices, semiconductors and firefighting foam;
- time-limited exempted uses for SCCPs, such as rubber industry transmission belts, lubricant additives and adhesives; and
- time-limited exempted uses for synthetic substance c-deca-BDE, such as aircraft and vehicle parts, textiles and polyurethane foam.

The convention aims to eliminate or restrict the production and use of POPs.

Further Information:

- [Factsheet](#)

Industry criticises 'misleading' baby products guide

NGO coalition advises avoiding items containing toxic chemicals

4 May 2018 / Children's products, Food & drink, Retail, United States



US children's products trade associations have criticised an NGO report that advises parents to avoid buying baby items containing a number of chemicals including certain plastics, flame retardants and solvents.

The Getting Ready for Baby coalition's *Safe baby guide* gives detailed guidelines for avoiding chemicals in baby products. It also recommends consumers buy items carrying the [Made Safe](#) independent labelling certification.

However, Kelly Mariotti, executive director of the Juvenile Products Manufacturers Association (JPMA), called the guide "misleading", and said children's products are already subject to stringent federal safety requirements.

"Simply put, hazardous substances cannot be accessible to a child so as to present either an acute or chronic hazard," she told Chemical Watch. If that were the case the product would already be banned, she said.

The coalition comprises more than 95 organisations that campaign for retailers to avoid selling baby products containing toxic chemicals. Other recommendations in the guide include avoiding:

- flame retardants, perfluoroalkyl and polyfluoroalkyl substances (PFASs), polyvinyl chloride (PVC) and microbial substances in mattresses;
- formaldehyde in baby furniture such as cots, changing tables and highchairs;
- bisphenol A (BPA) and bisphenol S (BPS) in baby bottles;
- PVC in teethingers;
- flame retardants in baby changing mats;
- solvents and PVC in strollers; and
- flame retardants in car seats

Toy concern

The guide also provides guidance on purchasing toys and puzzles for babies.

It recommends consumers avoid giving their babies toys made before 2008, when the Consumer Product Safety Improvement Act set stricter limits on lead and certain phthalates. And it also advises that:

- clear hard plastic toys may contain bisphenols;
- plastic dolls may be made of PVC; and
- metal products may include cadmium, mercury and antimony.

But Alan Kaufman, senior vice president of technical affairs at the Toy Association, told Chemical Watch the advice was "needlessly frightening to new parents and not based on any credible underlying science".

All toys sold in the US must comply with strict toy safety regulations, tests, and requirements which "make it illegal to sell toys or children's products containing substances harmful to children and to which they might be exposed," he said.

Responding to the criticisms, Bobbi Wilding, deputy director of the NGO Clean and Healthy New York, which is a partner in the campaign, said: "All of the chemicals we highlight have scientific evidence of contributing to negative health problems. We have released a technical document that provides the rationale for our choices, and parents can, if they're interested, easily access this information on every page of our guide."



Tammy Lovell

Business reporter

Related Articles

- [US children's product line first to achieve NGO safety certification](#)

Further Information:

- [Safe Baby Products Guide](#)
- [Children's Safe Products Reporting Rule](#)
- [Made Safe](#)

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